



**SHREWSBURY CONSERVATION COMMISSION  
SHREWSBURY, MASSACHUSETTS**

**MINUTES**

Regular Meeting: August 19, 2003 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

**Present:** John J. Ostrosky, Chairman  
Robert P. Jacques, Vice-Chairman  
Patricia M. Banks  
Kenneth F. Polito

**Absent:** Dorbert A. Thomas, Clerk  
Brad Stone, Agent

**Also Present:** John D. Perreault, Town Engineer

Mr. Ostrosky opened the meeting at 7:00 P.M.

**1. Review and Approve Minutes**

The Conservation Commission approved the Minutes of May 13, 2003, as submitted.

**2. Signed bills.**

**3. Meetings and Hearings – 7:05 P.M.**

**285-1226 Continued – Public Hearing regarding the Notice of Intent filed by Scott Ayres for the construction of a single family home addition at 15 Lamplighter Drive**

Scott Ayres – the homeowner, attended the hearing. Mr. Ayres said the main concern of the Commission was that they were looking for more information on the retaining wall. He said he submitted revised information to Mr. Stone for his review. The Commission said they want to put a clause and condition that there will be footings poured.

Mr. Ostrosky officially closed the hearing.

**285-1215 Continued –Public Hearing regarding the Notice of Intent filed by Catherine and William Peters for the construction of a swimming pool at 10 Weagle Farm Road**

Attending the hearing were Catherine and William Peters – the homeowners, Chris Cutler – the developer from Cutler-Brown, and Peter Bemis – the engineer from Engineering Design Consultants. See Hearing below 285-1236 Stonybrook Farm for notes.

Mr. Ostrosky continued both hearings (285-1215 and 285-1236) to September 16, 2003.

**285-1236      Public Hearing regarding the Notice of Intent filed by Cutler Brown Realty Trust for the construction of a wetland replication area on the Phase I and Phase II Open Space Parcel at the Stonybrook Farm Subdivision**

Attending the hearing were Chris Cutler – the developer from Cutler-Brown, and Peter Bemis – the engineer from Engineering Design Consultants. Mr. Bemis submitted recording information for four lots in the subdivision that had not been recorded previously.

Mr. Bemis said there were wetland violations on Lots 15A, 17, 18, 19A, and 20A, 21A, 22, 24, 25, and 26. He said there was about 8,000 sq. ft. of area being disturbed and he is proposing 11, 510 sq. ft. of replication area. He reviewed the replication areas.

Mr. Bemis said Cutler-Brown is not responsible for the wetland violations, but they have taken them on to get the subdivision completed. He said they would like to get the replication done in September.

Mr. Perreault commented that the Planning Board was concerned that Cutler-Brown was not offering useful open space. Also the current Planning Board is concerned that they would be changing a vote of a previous Planning Board. Mr. Bemis stressed that he does not have a lot of area to work with.

Mr. Jacques asked if there were agreements with homeowners for replication. Mr. Bemis said they met with homeowners after the last meeting, there were agreements, but no proposals have been written up. Mrs. Banks said she would like to see something in writing that the homeowners are involved in the restoration.

Mr. Ostrosky suggested Cutler-Brown and Mr. Bemis consider talking to the Planning Board about providing open space in another Cutler-Brown development. He also suggested that after the replication area is done, could it be protected with some type of vegetation. Mr. Bemis said that was a good point and he will propose something.

Mr. Ostrosky continued both hearings (285-1215 and 285-1236) to September 16, 2003.

**RDA              Continued – Public Hearing regarding the Request for Determination of Applicability filed by Mass Highway for the Milling and resurfacing the Interstate I-290 roadway in Shrewsbury**

Mickey Splaine, District 3 Massachusetts Highway Department, attended the hearing. Mr. Splaine explained the process for resurfacing the I-290 roadway in Shrewsbury, and he submitted a sketch of the drainage outlets. He said they will use haybales and silt fence to protect the two resource areas they found out there. He said the work is a five mile stretch all within Shrewsbury. He said they hoped to put it out to bid this Fall, with work to be done in the Spring 2004.

The Commission voted a negative determination and Mr. Ostrosky closed the hearing.

**285-\*\*\*\* Continued – Public Hearing regarding the Notice of Intent filed by Matthew and Christine Howard for the construction of a paved roadway and single family house at 100 Prospect Street and Howe Road**

Mr. Grenier – the engineer from J.M. Grenier Associates, attended the hearing. He asked for a continuance as they are still resolving some issues.

Mr. Ostrosky continued the hearing to September 16, 2003.

**285-1233 Public Hearing regarding the Notice of Intent filed by Florence Holland Sairs for the construction of a garage and driveway at 75 Mercury Drive**

Attending the hearing were Leonard and Florence Sairs – the homeowners, and Tim Briggs – the engineer from 49 Neptune Drive, Shrewsbury.

Mr. Briggs said this filing was for construction of a garage and driveway at 75 Mercury Drive. He said the closest point to the wetland is the garage, which is within 22 feet of the wetland.

Mr. Ostrosky officially closed the hearing.

**285-1232 Public Hearing regarding the Notice of Intent filed by Robert G. Murphy and Fern Nissim for the construction of a wood stockade fence, dock, and the repair of an existing retaining wall at 84 Lakeside Drive**

Bob Murphy, who is the homeowner and the engineer, attended this hearing, for this filing. Mr. Murphy said understanding that there may be a lake drawdown at some point, and the fact that an Order of Conditions is good for three years, he would like to repair a 50 year-old, damaged wall, put in a removable dock, and a 6-8 foot high wooden fence with the buffer area. He said he would also like to be able to clean out dead vegetation that is in the lake now, and would also like to be able to clean out dead vegetation over the next two to three years during the drawdown.

Mr. Jacques commented that the Commission would condition this on the drawdown.

Mr. Murphy said a sunken dock will be removed. The Commission said there would have to be a new filing for a new dock.

Mr. Ostrosky officially closed the hearing.

**285-1234 Public Hearing regarding the Notice of Intent filed by Toll Brothers, Inc. for construction of a single family home, driveway and grading for combined Lots 107 & 108 in the Prospect Hill Subdivision – Shrewsbury Hunt**

Attending the hearing were Eric Gardner and Bryan Weiner, and Bill Holdenby from Toll Brothers, and engineer(s) from Land Planning. Mr. Gardner said the wetland area is to the west. He said the intent is to combine lots 107 and 108 for the construction of one house. He said there is stock pile on the lots, which they want to remove.

Mr. Jacques asked to be shown the former filing to see the difference. He commented that it looks like there is a lot of fill.

Mr. Ostrosky officially closed the hearing.

**RDA                    Public Meeting regarding the Request for Determination of Applicability filed by Gerardo Sarli for the review of the delineation of the boundary of a resource area at 10 Colonial Way**

Attending the hearing were Gerardo Sarli – the homeowner, and Glen Krevosky – the wetlands engineer. Mr. Krevosky said Bob McNeil is doing the engineering plan.

Mr. Krevosky said the pond is partially on Mr. Sarli's property and partially on town property. He said they want to dredge the pond down and begin talking to the town about doing the town portion.

Mr. Jacques said they need to find out who owns that portion – the Conservation Commission or the Town.

Mr. Ostrosky officially closed the hearing. The Commission voted a positive determination for them to move forward.

**RDA                    Public Meeting regarding the Request for Determination of Applicability filed by Raymond Dunn to determine if the work depicted on the plan provided for 10 Spring Meadow Lane is subject to the Wetlands Protection Act**

Attending the hearing were Ray Dunn – the homeowner, and Glenn Krevosky – the wetlands engineer.

Mr. Krevosky said there is about 38,000 sq. ft. of herbaceous area. He said the area is 160 sq. ft. deep x 140 feet wide and drops one foot every 18 feet. He said Mr. Dunn wants to harrow and yolk rake the area and would like to make a field out of it. He said they will use a silt fence, and will be keeping work 35 feet away from the wetland area.

Mr. Krevosky said that Mr. Dunn will be coming back in the future to make an area that is ponding into a larger pond for his kids to skate on. Mr. Krevosky said Mr. Dunn will also be coming in to make an area to grow Christmas trees.

The Commission voted a negative determination.

**285-1235'            Public Hearing regarding the Notice of Intent filed by Diane Russell for the construction of a single family home, garage, and utilities at 32 Clews Street**

Christian Farland – the engineer from Dunn McKenzie, Inc. attended the hearing. This filing is for construction of a single family home, garage, and utilities. They said the house is 50 feet away from the wetland area, and the proposed septic system is 100 feet outside of the buffer zone. They said there will be no disturbance outside of silt fence line. They want to use a stone wall.

Mr. Perreault noted to the Commission that the ANR plan was denied because there was not enough frontage. Mr. Farland said they are changing the lot line on Memorial Drive. Mr. Perreault felt they could overcome the problem, but because there is no approved plan filed at the Registry for the Order of Conditions to be filed against, they would need to ask for a continuance.

Mr. Ostrosky continued the hearing to September 16, 2003.

**285-1237      Public Hearing regarding the Notice of Intent filed by Peris and Sons Builders, Inc. for the construction of a single family home at Lot 3 Brook Street, Shrewsbury Assessors Plate 43, Plot 19**

John Grenier – the engineer from J.M. Grenier Associates, attended the hearing. Mr. Grenier said Ron Peris wants to build a 2200 sq. ft. single family home, and they are proposing to fill 478 feet of wetland because of the front yard setback and sideline setbacks. They are proposing 1.5 to 1 replication area. Mr. Grenier said they want to give the homeowner 35 feet of backyard with a wall along edge of lot.

There was discussion of overall lot development of all the lots, and the consideration that maybe they will only be able to build two houses instead of three. Mr. Perreault also commented that there may be some other configurations that could be looked at.

Eleanor Gustafson, 20 Book Street, expressed concern that it was two lots being proposed, but now there are three. She expressed concern of the lot change creating problems in wetland area. She also asked that a buffer be considered at her lot line.

Barry Kneeland, 34 Brook Street read a letter submitted to the Commission signed by himself and Mrs. Gustafson.

Sherman Wetherbe, 507 South Street, expressed concern for the building of too many houses in this area. Betsey Wetherbe, 507 South Street, expressed concern of the work out there now causing some increased run-off problems.

Mr. Jacques feels work could be tempered some for less impact.

Mr. Ostrosky listed the following issues to be resolved:

- 1) P.E. stamp;
- 2) consider a change in the lot configuration;
- 3) amount of wetland fill area;
- 4) other miscellaneous concerns.

Mr. Grenier asked for continuance to look at options. Mr. Ostrosky continued the hearing to September 16, 2003.

**285-1238      Public Hearing regarding the Notice of Intent filed Peris and Sons Builders, Inc. for the construction of a single family home at 24 Brook Street**

John M. Grenier – the engineer from J.M. Grenier Associates, attended the hearing. Mr. Grenier said the foundation is outside of the buffer zone.

Mrs. Banks expressed concern about making a decision on this lot without seeing the others resolved.

Mr. Grenier requested they close this hearing as he did not see this lot as affecting the other two.

Mr. Ostrosky officially closed the hearing.

**285-\*\*\*\*      Public Hearing regarding the Notice of Intent filed by South Street Realty Trust for the construction and conversion of an existing building into a private school, the construction of a meeting hall, an addition, two residential units, all associated parking lots, drainage facilities and utilities at 435 South Street**

Attending the hearing was Patrick Healy from Thompson-Liston. Mr. Healy submitted deep hole and perc tests and two sets of revised plans, also submitted to Engineering and the Planning Board.

Mr. Healy said there are two wetlands in the area. He said currently water is piped under South Street for discharge of water. He said they want to convert the existing building to a private school, and also have a multi-purpose hall for gym and worship.

Mr. Healy said there will be drainage improvements in South Street. They propose two catch basin on property to help with flooding. He said they meet the Stormwater Management Policy. He said they are currently working with the Board of Health to improve the septic system and they are working with the Fire Chief to propose a turn-around on the property for emergency vehicles.

Mr. Wetherbe, 507 South Street, said where the two buildings are being proposed, it was a wetland. He also commented his wetland flags do not coincide with their flagging. The Ladners, 515 South Street, asked for clarification of drainage system.

Mr. Perreault said he is working with Mr. Healy on independent drainage calculation, so he would not be comfortable closing the hearing.

Gordon Sundeen, 30 Grove Street, said he did a sitewalk for the entire lot and encountered no problems with the lot.

Mr. Healy asked for a continuance to review calculation with Engineering. Mr. Ostrosky continued the hearing to September 16, 2003.

**285-1221      Public Hearing regarding the request for an Amended Order of Conditions filed by the Town of Shrewsbury Water and Sewer Department for the installation of drainage utilities on St. James Road**

Mr. Perreault said this request is for a amended Order of Conditions for installation of drainage utilities. He said they want to add two catch basins at the end of St. James Road.

Mr. Ostrosky officially closed the hearing.

**4. New Business**

**a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability**

**285-1226      15 Lamplighter Drive – conditionally approved**  
**285-1215      10 Weagle Farm Road - continued**  
**285-\*\*\*\*      Stonybrook Farm Open Space - continued**  
**RDA          Rte. I-290 – negative determination**  
**285-\*\*\*\*      100 Prospect Street and Howe Road - continued**  
**285-1233      75 Mercury Drive – conditionally approved**  
**285-1232      84 Lakeside Drive – conditionally approved**  
**285-1234      Lot 107 & 108 Prospect Hill – conditionally approved**  
**RDA          10 Colonial Way – positive determination**  
**RDA          10 Spring Meadow Lane – negative determination**  
**285-1235      32 Clews Street - continued**  
**285-1237      Lot 3 Brook Street - continued**  
**285-1238      24 Brook Street – conditionally approved**  
**285\*\*\*\*      435 South street - continued**  
**285-1221      St. James Road – conditionally approved**

**b. Discussed wetland violation, 709 Grove Street**

Attending the discussion were Gordon Sundeen, 30 Grove Street, and Jean and Richard Tibbets, 74 Grove Street. Mrs. Tibbets explained that they first had trouble with Toll Brothers, but that has been straightened out so far. She said now it seems to be a problem from Sundeen property. Mr. Sundeen said he has been taking water from Toll Brothers and two other properties. He said he's been doing all he can, and feels the weather needs to change for loam growing.

Mr. Jacques asked Mr. Sundeen to consider loaming and seeding within the next two weeks.

The Commission asked for an update on September 16, 2003.

**5. Old Business**

**a. Discussed Signed Certificates of Compliance**

**285-1165    Aspen Road, Parcel A**  
**285-203    Saxon Woods**  
**285-996    73 Summer Street - Partial**

**6. Correspondence**

**7. Miscellaneous**

**a) Discussion regarding the pond clean-up at Fieldstone Drive**

Attending the discussion was Attorney Bob Cole and Bill Ballou, 2 Fieldstone Drive.

Mr. Ballou said he is looking for an update on the pond clean-up. Attorney Cole has agreed to take out the two to three inches that they feel they may have contributed.

Mr. Perreault said Mr. Stone felt it could be done through an Enforcement Order

Mr. Ballou said that was fine, and felt they could take what they dredge and spread it in the upland field and loam and seed, and said it is within the buffer zone.

Mr. Polito expressed concern that the dredging, if spread next to the pond could end up back in the pond, and said he feels dredging should be taken off-site. Mr. Perreault suggested they use a dirt bed system.

The Commission felt he could move forward and stay in communication with Mr. Stone and Mr. Perreault, and come in next month for an update.

The meeting adjourned at 11:00 p.m.

Respectfully Submitted,

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***Annette W. Rebovich***